

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6341

Chapter 68, Laws of 2010

61st Legislature
2010 Regular Session

FOOD ASSISTANCE PROGRAMS--TRANSFER--DEPARTMENT OF AGRICULTURE

EFFECTIVE DATE: 07/01/10

Passed by the Senate February 10, 2010
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 3, 2010
YEAS 98 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved March 15, 2010, 3:08 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6341** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

March 15, 2010

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6341

Passed Legislature - 2010 Regular Session

State of Washington 61st Legislature 2010 Regular Session

By Senate Agriculture & Rural Economic Development (originally sponsored by Senators Hatfield, Haugen, Schoesler, Prentice, Shin, and Fairley)

READ FIRST TIME 01/29/10.

1 AN ACT Relating to transferring food assistance programs to the
2 department of agriculture; amending RCW 43.330.130; adding a new
3 section to chapter 43.23 RCW; creating new sections; and providing an
4 effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.23 RCW
7 to read as follows:

8 The director of the department may exercise powers and duties with
9 respect to the administration of food assistance programs in the
10 department. It is the intent of the legislature in administering the
11 food assistance programs transferred to the department by chapter
12 . . . , Laws of 2010 (this act), that programs continue to be provided
13 through community-based organizations. It is the intent of the
14 legislature that in accepting the administration of food assistance
15 programs, the department's core programs administered by the department
16 by July 1, 2010, not be impacted.

17 The director of the department may adopt rules necessary to
18 implement the food assistance programs.

1 The director may enter into contracts and agreements to implement
2 food assistance programs, including contracts and agreements with the
3 United States department of agriculture, to implement federal food
4 assistance programs.

5 **Sec. 2.** RCW 43.330.130 and 1993 c 280 s 16 are each amended to
6 read as follows:

7 (1) The department shall coordinate services to communities that
8 are directed to the poor and disadvantaged through private and public
9 nonprofit organizations and units of general purpose local governments.
10 The department shall coordinate these programs using, to the extent
11 possible, integrated case management methods, with other community and
12 economic development efforts that promote self-sufficiency.

13 (2) These services may include, but not be limited to,
14 comprehensive education services to preschool children from low-income
15 families, providing for human service needs and advocacy, promoting
16 volunteerism and citizen service as a means for accomplishing local
17 community and economic development goals, (~~coordinating and providing~~
18 ~~emergency — food — assistance — to — distribution — centers — and — needy~~
19 ~~individuals,~~) and providing for human service needs through community-
20 based organizations.

21 (3) The department shall provide local communities and at-risk
22 individuals with programs that provide community protection and assist
23 in developing strategies to reduce substance abuse. The department
24 shall administer programs that develop collaborative approaches to
25 prevention, intervention, and interdiction programs. The department
26 shall administer programs that support crime victims, address youth and
27 domestic violence problems, provide indigent defense for low-income
28 persons, border town disputes, and administer family services and
29 programs to promote the state's policy as provided in RCW 74.14A.025.

30 (4) The department shall provide fire protection and emergency
31 management services to support and strengthen local capacity for
32 controlling risk to life, property, and community vitality that may
33 result from fires, emergencies, and disasters.

34 NEW SECTION. **Sec. 3.** (1) The emergency food assistance program in
35 the department of commerce is transferred to the department of
36 agriculture.

1 (2)(a) All reports, documents, surveys, books, records, files,
2 papers, or written material in the possession of the emergency food
3 assistance program in the department of commerce shall be delivered to
4 the custody of the department of agriculture. All cabinets, furniture,
5 office equipment, motor vehicles, and other tangible property employed
6 by the emergency food assistance program in the department of commerce
7 shall be made available to the department of agriculture. All funds,
8 credits, or other assets held by the emergency food assistance program
9 in the department of commerce shall be assigned to the department of
10 agriculture.

11 (b) Any appropriations made to the emergency food assistance
12 program in the department of commerce shall, on the effective date of
13 this section, be transferred and credited to the department of
14 agriculture.

15 (c) If any question arises as to the transfer of any personnel,
16 funds, books, documents, records, papers, files, equipment, or other
17 tangible property used or held in the exercise of the powers and the
18 performance of the duties and functions transferred, the director of
19 financial management shall make a determination as to the proper
20 allocation and certify the same to the state agencies concerned.

21 (3) All employees in the emergency food assistance program in the
22 department of commerce are transferred to the jurisdiction of the
23 department of agriculture. All employees classified under chapter
24 41.06 RCW, the state civil service law, are assigned to the department
25 of agriculture to perform their usual duties upon the same terms as
26 formerly, without any loss of rights, subject to any action that may be
27 appropriate thereafter in accordance with the laws and rules governing
28 state civil service.

29 (4) All rules and all pending business before the emergency food
30 assistance program in the department of commerce shall be continued and
31 acted upon by the department of agriculture. All existing contracts
32 and obligations shall remain in full force and shall be performed by
33 the department of agriculture.

34 (5) The transfer of the powers, duties, functions, and personnel of
35 the emergency food assistance program in the department of commerce
36 shall not affect the validity of any act performed before the effective
37 date of this section.

1 (6) If apportionments of budgeted funds are required because of the
2 transfers directed by this section, the director of financial
3 management shall certify the apportionments to the agencies affected,
4 the state auditor, and the state treasurer. Each of these shall make
5 the appropriate transfer and adjustments in funds and appropriation
6 accounts and equipment records in accordance with the certification.

7 (7) All classified employees of the department of commerce assigned
8 to the department of agriculture under this section whose positions are
9 within an existing bargaining unit description at the department of
10 agriculture shall become a part of the existing bargaining unit at the
11 department of agriculture and shall be considered an appropriate
12 inclusion or modification of the existing bargaining unit under the
13 provisions of chapter 41.80 RCW.

14 NEW SECTION. **Sec. 4.** (1) The emergency food assistance program
15 and the commodity supplemental food program in the department of
16 general administration are transferred to the department of
17 agriculture.

18 (2)(a) All reports, documents, surveys, books, records, files,
19 papers, or written material in the possession of the emergency food
20 assistance program and the commodity supplemental food program in the
21 department of general administration shall be delivered to the custody
22 of the department of agriculture. All cabinets, furniture, office
23 equipment, motor vehicles, and other tangible property employed by the
24 emergency food assistance program and the commodity supplemental food
25 program in the department of general administration shall be made
26 available to the department of agriculture. All funds, credits, or
27 other assets held by the emergency food assistance program and the
28 commodity supplemental food program in the department of general
29 administration shall be assigned to the department of agriculture.

30 (b) Any appropriations made to the emergency food assistance
31 program and the commodity supplemental food program in the department
32 of general administration shall, on the effective date of this section,
33 be transferred and credited to the department of agriculture.

34 (c) If any question arises as to the transfer of any personnel,
35 funds, books, documents, records, papers, files, equipment, or other
36 tangible property used or held in the exercise of the powers and the

1 performance of the duties and functions transferred, the director of
2 financial management shall make a determination as to the proper
3 allocation and certify the same to the state agencies concerned.

4 (3) All employees in the emergency food assistance program and the
5 commodity supplemental food program in the department of general
6 administration are transferred to the jurisdiction of the department of
7 agriculture. All employees classified under chapter 41.06 RCW, the
8 state civil service law, are assigned to the department of agriculture
9 to perform their usual duties upon the same terms as formerly, without
10 any loss of rights, subject to any action that may be appropriate
11 thereafter in accordance with the laws and rules governing state civil
12 service.

13 (4) All rules and all pending business before the emergency food
14 assistance program and the commodity supplemental food program in the
15 department of general administration shall be continued and acted upon
16 by the department of agriculture. All existing contracts and
17 obligations shall remain in full force and shall be performed by the
18 department of agriculture.

19 (5) The transfer of the powers, duties, functions, and personnel of
20 the emergency food assistance program and the commodity supplemental
21 food program in the department of general administration shall not
22 affect the validity of any act performed before the effective date of
23 this section.

24 (6) If apportionments of budgeted funds are required because of the
25 transfers directed by this section, the director of financial
26 management shall certify the apportionments to the agencies affected,
27 the state auditor, and the state treasurer. Each of these shall make
28 the appropriate transfer and adjustments in funds and appropriation
29 accounts and equipment records in accordance with the certification.

30 (7) All classified employees of the department of general
31 administration assigned to the department of agriculture under this
32 section whose positions are within an existing bargaining unit
33 description at the department of agriculture shall become a part of the
34 existing bargaining unit at the department of agriculture and shall be
35 considered an appropriate inclusion or modification of the existing
36 bargaining unit under the provisions of chapter 41.80 RCW.

1 NEW SECTION. **Sec. 5.** This act takes effect July 1, 2010.
Passed by the Senate February 10, 2010.
Passed by the House March 3, 2010.
Approved by the Governor March 15, 2010.
Filed in Office of Secretary of State March 15, 2010.